ARTICLE XI. STANDARDS OF CONDUCT

Section 11-1. Declaration of Purpose.

The proper operation of democratic government requires that public officials, employees and other persons involved in government be independent, impartial and responsible to the people; that public office not be used for any personal gain; and that the public have confidence in the integrity of its government. Public interest must be the primary concern of those who are included within the scope of these standards. In recognition of these goals these standards of conduct are incorporated into this Charter of the Town of Ridgefield.

Those persons, hereinafter referred to as "officials" and/or "employees" bound by these standards are as follows:

Elected or appointed officials of the town, and its boards and commissions, either paid or unpaid (voluntary).

Employees of the town and of all boards, commissions, committees and authorities, including the Board of Education.

Organizations or persons that provide town-sponsored services to the public. (4)

Section 11-2. Standards of Service.

Officials and employees have a special responsibility by virtue of the trust invested in them by the town's residents to discharge their duties conscientiously, impartially and to the best of their ability, placing the good of the town above any personal or partisan considerations.

Officials and employees have an obligation to act ethically and honestly in discharging all assigned responsibilities, and to make continuing efforts toward attaining and maintaining high standards of performance.

Individuals who consent to serve on town boards or commissions are expected to devote the necessary time and effort to these commitments.

No official or employee shall use, or attempt to use, either directly or indirectly, his or her town position to secure any preferential right, benefit, advantage or privilege for himself or herself or others.

Should an official or employee be requested or ordered to perform an illegal act or an act that conflicts with these standards that individual should be guided by standards of ethics rather than by standards of expediency, and should refuse to comply with such a request or order. This principle is not to be construed as encouraging arbitrary or capricious nonconformity with job assignments, but to insure that all officials and employees recognize that the responsibility for ethical conduct ultimately rests with each individual.

Section ll-3. The Use of Town Resources.

Officials and employees often have access to vehicles, equipment, supplies, property, labor and other town resources in connection with the conduct of their official business. Since there may be instances where the distinction between the use of resources for official purposes and for personal convenience or advantage may be ambiguous, it is incumbent upon all such individuals to make absolutely certain that there be no misuse of public property.

Town- or Board of Education-owned vehicles, equipment, supplies, property, labor and other town resources will be used only for the conduct of official business, except when such resources are available to the public generally or are provided for in a publicly disclosed contractual agreement.

Town property or resources which are legitimately placed in the trust of an official or employee will be preserved and cared for to the best of his or her ability.

Requests for town reimbursement for travel, lodgings or any other expenses incurred in connection with nonofficial business or for family members of officials or employees or others who are not on official business represents a breach of ethical behavior. (4)

Section 11-4. Treatment of the Public.

Officials must bear in mind their role as public servants. Everyone deserves to be treated courteously, impartially and fairly, and is entitled to all of the benefits and services available to each and every other individual, but without preferential treatment.

Officials and employees will make every reasonable effort to inform the public of its rights to town services.

Should an official or employee be requested by the public to perform an unethical act it must be declined with proper explanation.

While this section deals with the treatment of the public by officials and employees, the relationship between the former and the latter is recognized to be a two-way interaction. It is therefore urged that the public also conduct itself with the same propriety expected of town officials and employees.

Section ll-5. Conflict of Interest.

Officials and employees often have occupations, professions, businesses, or have financial or personal interests, that relate to or interface with town operation and government. It is expected that officials and employees will be acutely sensitive to possible conflict of interest issues, and that they will conduct themselves in a manner that will avoid any conflicts of interest.

Officials and employees shall not use their office or town employment, or special knowledge about town affairs obtained in connection with their office or position in town, to procure contracts with the town. Also, they shall not disseminate this information to another person for personal advantage unless this information is available to the general public.

Officials and employees shall not offer or render preferential treatment to others on the basis of family ties, financial interests, friendships or political consideration.

Officials and employees shall refrain from attempting to influence anyone concerning the awarding of town contracts on the basis of their business, family or political relationship with any of the individuals involved.

No employee of the town other than the First Selectman shall serve on a board, commission or other town body that deliberates and/or makes decisions directly or indirectly affecting that employee's remuneration or working conditions.

An official or employee who has any financial or other private interest in any official action under consideration shall either:

(1) Disqualify himself or herself from participating in the deliberation and decision-making thereupon; or

(2) Disclose on the record the nature and extent of such interest and seek a ruling as follows: The governing town official, board or commission involved shall then rule or vote on the official's or employee's right to:

(a) Participate in discussion of the issue;

(b) Right to vote on the issue.

Violation of these provisions with the knowledge express or implied of any person or corporation contracting with or making a sale to the town shall render such contract or sale voidable by the board, commission or agency having jurisdiction. (4)

Section ll-6. Disclosure of Confidential Information.

Because of their position in town administration, officials and employees have access to information that may not be in the public domain. Confidential information is any information not in the public record and which is obtained only by reason of an official's or employee's position.

No official or employee shall, without prior formal authorization of the public body having jurisdiction, disclose any confidential information or divulge personal matters pertaining to others that do not bear upon the official's or employee's discharge of official duties.

Whether or not it shall involve disclosure, no official or employee shall use or permit the use of confidential information to advance his or her financial or personal interest or to advance or to damage the financial or personal interest of any other person.

Section 11-7. Gifts, Gratuities, and Favors.

Officials and employees shall not accept gifts, loans or privileges offered them because of their positions in town in the expectation of influencing their actions or decisions.

It is unethical for an official or employee to give preferential treatment in response to gifts, loans or privileges offered to family or business associates.

These principles do not preclude the acceptance of gifts at the time of retirement or at public occasions held to honor an official or employee. The public honoring of an individual makes gifts appropriate and acceptable.

If it is impossible or inappropriate to refuse a gift or offering, then it shall be turned over to an appropriate public or charitable institution.

The courtesies that are associated with normal daily business routine are not disallowed.

Section 11-8. Employment Incompatible with Town Duties.

Officials and employees have a responsibility to perform their duties unencumbered by conflicting demands placed upon them by virtue of their commitment to any other employment.

No official or employee shall engage in or accept private or other public employment or render services for private interests when such employment or services are incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of town duties.

Officials and employees shall disqualify themselves from or obtain a ruling (see section ll-5) on all discussions, attempts at influencing the views of others, and any other issue in which their employment may conflict with the town office or position held.

Section 11-9. Board of Ethics.

The standards of conduct set forth in Article XI shall be administered by the Board of Ethics pursuant to Section 7-148h of the Connecticut General Statutes. Members of the Board of Ethics shall meet in January of each year to elect a chairperson and a secretary.

Initially, the board shall adopt reasonable rules and regulations consistent with the intent of Article XI within 90 days of taking office. The Board shall file the full text of its proposed rules and regulations with the Town Clerk and the First Selectman fifteen (15) days prior to a public hearing. The date, time, place and general purpose of the public hearing shall be published in a newspaper having general circulation in the town at least seven (7) days prior to the hearing. After due consideration of input from the public hearing the board shall adopt final rules and regulations which shall become effective on the date the full text of the rules and regulations is filed with the Town Clerk. Subsequently, the board shall consider any changes to its rules and regulations at the beginning of each year and shall adopt the changes after a public hearing within 60 days.

All complaints to the Board of violations of the standards of conduct set forth in Article XI shall be in writing, signed by the complainant and notarized. Hypothetical situations and anonymous complaints shall not be addressed. The board shall investigate the pertinent facts stated in the complaint to determine whether or not there is probable cause that a violation of Article XI has occurred. The board may hold hearings regarding the complaint; however the board shall hold a hearing if requested by the person whose conduct is being investigated. Any such investigation shall be concluded within sixty (60) days of receipt of the complaint. Any investigation shall be confidential and any individual called by the board for the purpose of providing information shall not disclose his/her knowledge of the investigation to a third party unless the officer or employee whose conduct is under investigation requests that the investigation be made public. The officer or employee under investigation shall have the right to appear and be heard and to offer any information intended to establish that he/she has not violated any provision of Article XI. The officer or employee under investigation shall have the right to be represented by legal counsel at their own expense and to present and cross-examine witnesses. Any probable cause determination that an officer or employee has violated any provision of Article XI shall require four (4) concurring votes of the Board.

The board shall not later than thirty-one (31) days after the hearing deliver (by hand) or send by registered or certified mail to the officer or employee involved the report of its findings and the reasons for its decision. The board shall make public a finding of probable cause and disclose the record of its investigation as authorized by Section 1-82a of the state statutes. The board shall state in its report what action it deems appropriate if a violation has occurred. When the board concludes that disciplinary action is appropriate for an employee or appointed official, the matter shall be referred to the proper authority.

The board shall render advisory opinions to any officer or employee who requests such an opinion in writing regarding their own conduct, unless the matter in question is currently in litigation.

At the end of each calendar year, the board shall prepare and submit to the Board of Selectmen an annual report summarizing its actions and recommendations during the preceding year. The annual report shall be prepared and submitted in accordance with the confidentiality requirements of this section.

Section 11-10. Board of Ethics Established.

An appointed Board of Ethics is established to administer the standards of conduct set forth in this article. (12)